

Docket No.: M4065.0166/P166-A (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Kevin J. Torek et al.

Application No.: 09/643,946

Group Art Unit: 1765

Filed: August 23, 2000

Prior Examiner: L. Vinh

For:

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## INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

A copy of each reference on PTO/SB/08 is attached.

Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in prior application No. 09/342,243, filed June 29, 1999 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

[x] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references

It should be noted that U.S. Patent No. 5,855,811 to Grieger et al., included in the Search Report referred to above, was already disclosed in this case by Applicants upon filing this divisional application on August 23, 2000 and, therefore, it is not included on the attached Form PTO/SB/08.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0166/P166-A. A duplicate copy of this paper is enclosed.

Dated: December 15, 2000

Respectfully submitted,

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing) Prior Examiner Name 8 Total Number of Pages in This Submission

**Application Number** 

August 23, 2000 Filing Date Kevin J. Torek **First Named Inventor** 1765 Group Art Unit L. Vinh M4065.0166/P166-A Attorney Docket Number

ENCLOSURES (check all that apply)			
Fee Transmittal Form		Assignment Papers (for an Application)	After Allowance Communication to Group
Fee Attached		Drawing(s)	Appeal Communication to Board of Appeals and Interferences
Amendment/Reply		Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final		Petition	Proprietary Information
Affidavits/declaration(s)		Petition to Convert to a Provisional Application	Status Letter
Extension of Time Request		Power of Attorney, Revocation Change of Correspondence Address	Other Enclosure(s) (please identify below)
Express Abandonment Request		Terminal Disclaimer	
X Information Disclosure Statement		Request for Refund	
Certified Copy of Priority Document(s)		CD. Number of CD(s)	:
Response to Missing Parts/ Incomplete Application		Remarks	
Response to Missing Parts under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm <i>or</i> Individual Name	Thomas J. D'Amico, Reg. No. 28,371		
Signature			
Date	December 15, 2000		